

27 1 Q Could any hazardous materials go out by plane?

2 A Some hazardous materials can, but generally it  
3 does not. Most hazardous materials would go by barge.

4 When -- realize in the whole BRAC process we  
:27 5 were very budget constrained, so we were directed  
6 repeatedly to use the most economic means available.

7 Q In this case --

8 A -- in this case that was the barge because the  
9 contract existed.

:28 10 Q Why would any small items that were mission-  
11 specific things, like a tool box, go out with the  
12 squadron on the P-3's when they relocated to Whidbey?

13 A The squadron's own the tool boxes. A mechanic  
14 is virtually useless without the tool box, so the P-3  
1:28 15 can take very little.

16 They had a capability to load stuff in the  
17 bombay, but there's a mission crew of 14 on a P-3 and  
18 they are all mission stationed inside. It's not an  
19 open compartmented aircraft. It's very confined. So  
1:28 20 the stuff that had to get back to support the mission,  
21 they would take what they could.

22 Some of it went on a 141. I know of one that  
23 we scheduled where we put small IMRL gear on the 141.  
24 The rest, the jacks, were all pool items, so that could  
11:29 25 be managed a little easier.

1 If you had to wait for the jacks to get back to  
2 Whidbey, AIRPAC, the pool could send up a jack if they  
3 needed one or borrow from another squadron because  
4 that's where all the squadrons were located.

5 Q Was it basically true, then, that they took  
6 with them the things they needed in order to operate  
7 their aircraft?

8 A That's the purpose of having an IMRL list.  
9 That's why it's called an Individual Materials  
10 Requirement List. They are required to take that with  
11 them when they deploy. That's true for any Navy,  
12 airborne Navy detachment, you all have your own IMRL  
13 list, a pack-up kit, things of that nature required to  
14 take with you when you deploy and bring back with you.

15 Q There was no option for those crews to put  
16 their, for example, their tool boxes onto the barge to  
17 be shipped down to Seattle and then shipped up to  
18 Whidbey, was there?

19 A Option, you mean, could they if they wanted to?

20 Q Was it a requirement they take them or not a  
21 requirement?

22 A They are required to maintain their equipment  
23 with them to support their aircraft. They are required  
24 to maintain their IMRL list with them.

25 So, you know, if they were going back and going

on a 30-day stand down, I guess it's conceivable that they could have arranged for barge traffic, but I don't know of anyone that would consciously do that, especially tools.

Many of the tools in there are specialty tools, things you need to move the CSD, constant speed drive, for example, it's a very specific type of tool. You would not want to risk losing that.

Q Was there discussion early in the BRAC process with regard to Adak that you might have to, the Navy might have to scrub the island?

A What do you mean by scrub?

Q Clean it down to the tundra, or whatever there is on Adak?

A Yeah, it got pretty interesting. Originally, there was a public land order, Public Land Order 1949, which at some period in time after World War II withdrew the Adak footprint from the Alaska National Maritime Refuge, which is the Aleutian Chain.

What they wanted to do was to reverse, initially, was reverse that public land order and return Adak back to the wildlife management side of the house.

Well, to do that they would have had to clean it to pristine -- what the wildlife people characterize as pristine. Not in a million years would that ever

31 1 happen at Adak. Adak was used in World War II. There  
2 was stuff buried in the ground --

3 THE REPORTER: I need you to slow down.

4 THE WITNESS: I am sorry. Adak was used as a  
31 5 forward deployed base in World War II.

6 Q (BY MS. FRANKEN) Forward deployed base?

7 A Forward deployed base since World War II and  
8 had been in operation ever since, and it had a rather  
9 complex industrial area, so you can imagine that the  
:32 10 environmental issues were significant, not to mention  
11 they also had a gunnery range, unexploded ordnance,  
12 which is abbreviated UXO. They had a number of dumps.  
13 Just the industrial area on its own presented problems,  
14 oil, you know, hydraulic fluid spilling on the ground,  
:32 15 things of that nature.

16 So it soon became quite evident that returning  
17 it to pristine was not economically feasible.

18 In addition to that, there was an environmental  
19 opinion, and I don't recall who issued the opinion;  
1:32 20 however, if they had gone out and cleaned out the UXO  
21 area and the exploded ordnance area, it would have done  
22 more damage to the tundra in that area than it would  
23 have recovered equipment.

24 So at that point they decided to put what they  
11:32 25 call an institutional control on that area, which is

1 the Air Force -- the Navy contracts the Air Force to  
2 provide a specific service to them.

3 The Air Force can provide a military aircraft  
4 or the Air Force can arrange for a commercial aircraft,  
5 such as Alaska Airlines, to provide contract air  
6 services to the island.

7 Q Do you know who was the Conair provider to Adak  
8 prior to closure?

9 A I know that they had a Channel C-141, which was  
10 an Air Force aircraft, and they also had Alaska Airlines  
11 flying a 737 out there that had cargo and passenger  
12 capability.

13 Q Do you know when the Alaska Conair route ended?

14 A It was due to terminate around the April of '97  
15 time frame, but I don't know the precise date that it  
16 terminated.

17 Q Could have been before that?

18 A I really don't know, Jeanne. I don't know.

19 Q And the Channel C-141 from the Air Force, do  
20 you know when that ended?

21 A That ended around the same time.

22 Q Do you know the exact date?

23 A No, I do know not.

24 Q Did the C-141 carry passengers?

25 A Yes.

2:10 1 most of the pallets in my experience get cubed out, that  
2 means the cubic foot capacity based on height, width and  
3 length is exceeded before the weight limit of that  
4 pallet is exceeded.

2:10 5 So, for example, they would put in a number of  
6 boxes of a particular item. Those boxes could be fairly  
7 light weight, but they are bulky. They take up a  
8 tremendous amount of space, so though the pallet is  
9 capable of weighing 5,000 pounds, the boxes, due to  
2:10 10 their cubic size, may only weigh 100 pounds, but they  
11 take up the entire pallet.

12 Q What was the weight limit of a pallet, as you  
13 understood it at that time?

14 A Standard pallet, it's not the weight limit of  
2:11 15 the pallet. It's the weight limitation of the aircraft.

16 Aircraft ~~is~~ weight and balance.

17 You have to balance the aircraft weight wise to  
18 safely take off and land. So the pallets at different  
19 locations within the aircraft have different weight  
2:11 20 limitations. What they are specific on a 141, I do not  
21 know.

22 Q Do you know the dimensions of the pallets?

23 A Standard Navy -- standard pallet is  
24 approximately 9 feet by 9 feet, if I recall correctly.

2:11 25 Q Now, were there any other Navy -- strike



2:11 1 that -- any other aircraft that called on Adak on a  
2 regular basis, if you recall?

3 A The only aircraft that I am aware of that had a  
4 regular basis on the island were the Channel Air C-141,  
2:12 5 the Reeve Aleutian had a scheduled flight out there, I  
6 don't recall the frequency, I believe it was once or  
7 twice a week. Dave Jensen could provide you with that  
8 specific schedule. The Alaska Airlines flight was a  
9 contract flight, and I believe that was as required  
2:12 10 flight.

11 I went out there on it a couple of times. I  
12 went on Reeve a couple of times. I don't know the  
13 frequency of the Alaska Airlines flights.

14 Other flights that came in at that time were  
2:12 15 generally mission-requirement type of flights. P-3's  
16 would come in to refuel. Occasionally a C-131 come in  
17 to refuel, Air National Guard kind of guys.

18 The Prince of Wales flew in. Prince Phillip,  
19 Queen Elizabeth's husband, flew in in a BAE-146. He  
2:13 20 flew in and shocked us all. Here comes the Prince of  
21 England.

22 Q Why would the Prince of England drop in on the  
23 BAE in Adak?

24 A Gas. Needs fuel.

12:13 25 Q Was Adak some kind of a refueling station?

2:13 1 A Adak at one time was considered what's called  
2 an ETOPS field, that's E-T-O-P-S. It's Engine Out  
3 Technical Operating Procedures and Standards, I believe  
4 is what the acronym stands for.

2:13 5 What that entails is airliners that transit a  
6 large body of water, Pacific Ocean, Atlantic Ocean, if  
7 they're dual engine, twin engine, like a Boeing 777 they  
8 have to demonstrate the capability to fly single engine  
9 to a refueling point, after they have crossed the point  
12:13 10 of no return, what they call PNR.

11 So Adak was one of the ETOPS fields.

12 It was designated for the Arctic route for  
13 those people flying from Anchorage over to Japan.  
14 Anybody who is taking the Arctic route, they could use  
12:14 15 Adak as an emergency divert field.

16 Any military base can be used as an emergency  
17 divert field, but Adak was listed at that time as an  
18 ETOPS field.

19 Q Now you said that C-130's would land there on  
12:14 20 occasion to refuel. How do you know that?

21 A Saw them come in. They were Air National  
22 Guard flights. There was an Air National Guard flight  
23 that came up from Nevada.

24 In one instance there was some galley  
12:14 25 equipment, I believe a couple of five or six pieces of



1 Q What kind of cargo primarily was carried on the  
2 C-141 regularly scheduled AMC flight?

3 A They would carry what we call FFV, fresh fruit  
4 and vegetables.

5 They would carry what we used to call triple 9  
6 coded cargo, which was cargo that had to get someplace  
7 quickly and was generally related to a mission-specific  
8 application.

9 They could carry, you know, certainly  
10 passengers, personal, you know, a 30-day kit, pack-up  
11 kit going out to the island.

12 Other supply, critical supply types of items  
13 that were requested by the island.

14 Q Did they also carry mail?

15 A Yes. They carried mail.

16 Q Anything else that comes to mind?

17 A You know, some equipment, I guess. I'd have  
18 to take a look at the individual manifest to tell you.

19 It's a cargo aircraft. It can carry quite a  
20 variety of things.

21 Q When you talk about the 30-day pack-up, do you  
22 know if that was weight limited in any way?

23 A There is a weight limit to it. I believe it's  
24 less than a thousand pounds. That may have varied for  
25 Adak, but I believe, in general, it's less than a

12:24 1 thousand pounds.

2 Q Do you know whether household goods generally  
3 went by the Samson barge?

4 A The household goods, that would be the only way  
12:24 5 they would take them off.

6 Q Why is that?

7 A Most economical means. That's the purpose of  
8 a 30-day kit is to give you enough to sustain yourself  
9 until your stuff gets there.

12:24 10 But at that point you realize that all of the  
11 unaccompanied people out there didn't really bring  
12 household goods out to the island. They were living in  
13 fully-furnished facilities on base.

14 They consolidated all of the way down to the  
12:24 15 downtown area near the high school, so that the staff,  
16 the island staff was living in those buildings. They  
17 had washers, dryers, furniture, bedding, you name it, it  
18 was there. It was like moving into a fully-furnished  
19 home.

12:24 20 So the typical household goods you would see  
21 typically with a military family were no longer there.

22 Q And this would have corresponded, this change,  
23 to when it went from being a Naval Air Station to being  
24 a facility?

12:25 25 A Yes.

12:25 1 Q There has been testimony in this case by a  
2 Samson employee who lived at times on Adak that when  
3 sitting on his porch he would see a lot of airplanes  
4 coming and going from the island, and he would see  
12:25 5 trucks running by on the road that looked like they were  
6 going to the airfield loaded with cargo.

7 Do you know anything about an increase in air  
8 traffic in the last years of the contract with the  
9 Samson barge?

12:26 10 A No. The only air traffic that I was aware of  
11 was the Conair that we have discussed, the 141's and the  
12 occasional 130, the <sup>ALASKA</sup> ~~Alaska~~ Airlines flight and Reeve  
13 Aleutian flight.

14 Q Was there any discussion at any time when you  
12:26 15 were involved with the closure of Adak that there should  
16 be some kind of a large Berlin type airlift off Adak to  
17 remove material that was on Adak?

18 A The Aleut Corporation made the, they accused us  
19 of systematically stripping the island, I believe was  
12:26 20 the terminology they used, with a rather large airlift.  
21 That didn't happen.

22 Q Was there ever any discussion about doing that  
23 within the Navy?

24 A No, not that I am aware of, and I honestly  
12:27 25 don't see where that would have been practical.

12:27 1 Q Do you know what the basis was for the Aleuts'  
2 assertion that the Navy was "stripping the island?"

3 A No. I really don't. When I discussed it with  
4 Chris Gates, he had, he had people that were telling  
12:27 5 him, I guess, I am assuming from the island, they were  
6 seeing cargo being removed. You know, I asked him a  
7 couple of times where he thought it was, where it was  
8 going to, and he really didn't know, and which led to a  
9 subsequent visit by Chris.

12:27 10 He came out to the island and he and I quite  
11 literally walked around, and I showed him where a lot of  
12 the equipment that had been pulled from the facilities  
13 that were being laid up, which may have been what people  
14 mistaked for cargo heading out to the aircraft were  
12:27 15 being stored in the warehouse.

16 The main road that most of this cargo would  
17 have transitioned on borders this airfield when it goes  
18 down to the industrial area.

19 So perhaps someone drew a correlation just  
2:28 20 because of the location of the road.

21 Q So if things were being moved, as you say they  
22 were, to warehousing facilities for storage, they would  
23 appear to be going, perhaps, to the airfield?

24 A Yeah, there's only a couple of roads there.  
2:28 25 So the road borders the airfield on both sides, so that

12:28 1 could be a reasonable assumption by someone.

2 Q Are you aware of any other commercial flights  
3 or private planes that called on Adak for fuel during  
4 the last two years before closure of the base?

12:28 5 A No.

6 Q Could there have been such visits, just like  
7 Prince Phillip dropping down onto the base?

8 A They were required to file what's called a PPR,  
9 Prior Permission Required, to land at the field, so  
12:29 10 Prince Phillip's flight had a PPR on file.

11 Civilian aircraft would not typically go into a  
12 military base unless there was an emergency.

13 You know, I do recall there was one other  
14 aircraft that went from Attu to Adak. It was a small  
12:29 15 twin engine, I believe it was, ERA was the name of the  
16 company. They also run helicopters as well, but I  
17 believe there's a twin engine ERA aircraft that went  
18 into Adak at one time or another, but I don't precisely  
19 recall when that was.

12:29 20 Q Attu is A-T-T-U?

21 A A-T-T-U. The island is relatively close to  
22 Adak.

23 Q Do you know what happened to most of the  
24 vehicles that were on the island?

12:30 25 A Quite a number of the vehicles were put in the

12:30 1 landfill. There was a large number of what they call  
2 POVs, privately owned vehicles, that were left on the  
3 island, abandoned. They are pretty much ruined. There  
4 wasn't much left of them. Quite a large number of those  
12:30 5 from what I understand went into the metals landfill.  
6 Some of the operational ones may have been taken off; if  
7 so, they would have gone off on the barge.

8 A number of the deadline vehicles that were  
9 part of the CESE, which is the construction equipment  
12:30 10 combat engineers support equipment, some of the  
11 deadlines vehicles went into the metals landfill.

12 I don't know. I don't recall any of those  
13 being taken off.

14 Q Did you have occasion yesterday to look at a  
12:31 15 tape, a videotape?

16 A Yes, I did.

17 Q Made in March of 1997?

18 A Yes, I did.

19 Q On Adak by the Navy?

12:31 20 A Yes.

21 Q It's marked US 3300?

22 A Yes.

23 MS. FRANKEN: We are going to mark this next in  
24 order. It will number 77. Counsel, you have a copy.

12:31 25 MR. BORAKS: Yes, we have a copy.



12:50 1

A Yes.

2

Q -- looks like different shop areas?

3

A Those were all the public works division shop areas. And that goes back to the comment I made

12:50 5

earlier about being able to characterize a specific

6

building by what, by the equipment that was installed.

7

He showed the servicing base, the machine shop, welding shop, battery shop, electronic support shop. I said the wood working shop. There was a couple of

12:50 10

machine shops there, pipe shop, and all of the material

11

that was related to it. The rolling stock, specific

12

pipe, all of the material, support material that they're

13

required to have to perform whatever mission they were

14

doing, welding rod, lumber, whatever.

12:51 15

Q Did all of that fairly depict the way you recall those locations as of March of '97?

16

17

A Yes, quite accurately.

18

Q And then there's also some footage taken indoors and --

19

20

MS. FRANKEN: If I could comment, we are getting a lot of typing noise here, Buzz.

21

22

MR. BORAKS: Not us, Jeanne.

23

MR. ROYCE: That was me. Sorry. I will try to turn off the sound here.

24

12:51 25

MS. FRANKEN: Thank you.

12:51 1 Q (BY MS. FRANKEN) We also see some footage  
2 indoors that appear to be gym areas that show equipment  
3 there. Do you recall those?

4 A Yes.

12:51 5 Q Do you recall those still being full of  
6 equipment back in March of '97?

7 A Yes, they were.

8 Q As far as you know, well, and then I think it's  
9 Lieutenant Duerdin is seen also in some storage areas  
12:51 10 where there are lamps and furniture?

11 A Yes.

12 Q And things of that nature?

13 A Yes. Those are the warehouses I mentioned  
14 earlier where they put in, they put all of the excess  
12:52 15 furniture from the laid-up facilities, and all of the  
16 excess equipment from those laid-up facilities.

17 Arctic housing, for example, is one of theirs  
18 that they laid up.

19 Q Arctic?

12:52 20 A Arctic housing. That's one of theirs that  
21 they laid up. They pulled up all of the furniture,  
22 appliances, etc., out and stored them in the warehouses  
23 and fleet hospital.

24 Q Was it your understanding that that was still  
2:52 25 there in March of '97?

12:52 1 A Yes.

2 Q Did you understand that the purpose of this  
3 video was to depict what was going to be left for the  
4 local reuse authority?

12:52 5 A It was to depict what was currently there.

6 What was going to be left, to a certain degree,  
7 was contingent upon the local reuse authority completing  
8 their reuse plan.

9 Q Do you know if that ever happened?

12:52 10 A As of the time I ceased working on Adak, it had  
11 not, so that was, you know, that was the August time  
12 frame. It had still not been completed, to my  
13 knowledge.

14 The person that could give you that information  
12:53 15 would probably be Brian Andvik.

16 Q Do you know if any of the equipment and other  
17 personal property that's depicted in that video left the  
18 island before you stopped being involved in it in August  
19 of 2007?

12:53 20 A The only thing that might have gone, I don't  
21 recall precisely when that 60-ton crane went. I know  
22 they panned on a crane in the background. I don't know  
23 if it was the 60-ton crane or not. It was white, the  
24 60-ton crane.

12:53 25 All of the other equipment was retained to

12:53 1 support the cleanup effort. The dump trucks, all of  
2 that was required for the cleanup effort, and I think  
3 that was also mentioned in the video, I believe.

4 Q Do you know for a certainty that the 60-ton  
12:54 5 crane went off Adak Island by way of the Samson Barge?

6 A Yes, it did.

7 Q How do you know that?

8 A We had, we went through a whole litany of  
9 discussions on that with The Aleut Corporation, and  
12:54 10 while I was up there, I saw the crane on the barge.

11 I don't recall which barge, which scheduled  
12 barge it was, but I saw the crane on the barge.

13 Q Do you have any knowledge of any other marine  
14 vessels having taken anything off Adak after the closure  
12:54 15 was announced?

16 A No. I am not aware of any other vessels that  
17 came in and took anything off the island.

18 MS. FRANKEN: I am going to show you now some  
19 other documents to identify them.

12:55 20 Gentlemen, I'm making reference to U.S. Bates  
21 stamp number 410.

22 MR. BAILEY: 00410?

23 MS. FRANKEN: Well, all of these begin with  
24 four zeros, so I will just refer to them as the last  
12:55 25 numbers, which is 410.

13:08 1 personal property from Adak. Was that true?

2 A No. That was not. The memo, he is referring  
3 to -- "A memo was recently issued requesting Navy  
4 personnel to identify tools for shipment off island" --  
13:08 5 I believe was actually the memo that went out regarding  
6 the IMRL, Individual Materials Requirements List.

7 Q The second to last paragraph on the second  
8 page, from the point of view of The Aleut Corporation,  
9 they would like personal property to be left on the  
13:08 10 island as part of the negotiated withdrawal of the Navy  
11 pursuant to the land exchange with the Department of the  
12 Interior; and is that what you understood their position  
13 to be?

14 A Yes. They wanted basically everything left on  
13:08 15 the island.

16 Q And did you understand from the Deputy  
17 Secretary of the Navy that that was the position of the  
18 Navy to the extent possible to leave as much as possible  
19 on the island?

13:09 20 A They were going to leave as much as possible on  
21 the island to support three things: the environmental  
22 cleanup, the contractors, and the reuse plan.

23 MS. FRANKEN: I will next show you US 393, and  
24 it will be number 82.

25

13:13 1 there's a statement that "with the exception of leased  
2 security vehicles and a 15-ton dump truck, which was on  
3 loan, that all government and CESE rolling stock would  
4 remain on island." Is that a true statement?

13:13 5 A Yes. That's a true statement. Tina Hastings  
6 was appointed contact, her phone number there. I doubt  
7 that she's still there, but she's the one that discussed  
8 that specifically with me, and that's why I committed it  
9 to this piece of paper so people would know who the  
13:14 10 point of contact was.

11 Q Do you know whether even the 15-ton dump truck  
12 was taken off island?

13 A I don't remember.

14 Q How about the CESE rolling stock, do you know  
13:14 15 in fact if that was taken off island?

16 A No. As she indicated, most of it remind on  
17 island. I can't tell you specifically if any of the  
18 CESE left. I believe it was all retained.

19 Q And on (d) it states "There is no plan by the  
13:14 20 Navy to remove any of the installed hangar, H-A-N-G-A-R  
21 bridge cranes"; is that true?

22 A That's true. The Aleut said we were pulling  
23 those off, and we had no intent whatsoever of removing  
24 those bridge cranes.

3:14 25 Q And also that there was no plan to remove



13:14 1 installed galley equipment?

2 A That's correct. That was the result of the  
3 galley equipment we flew down to Fallon, which was  
4 uninstalled and still in the boxes. That's why they  
13:15 5 were upset.

6 Q How much equipment that was uninstalled in the  
7 boxes was flown to Fallon, F-A-L-L-O-N?

8 A I think in one of these memos there's a list of  
9 that. One of the memos had -- maybe it's one of the  
13:15 10 memos that you still have there.

11 There's a memo that I wrote that specifically  
12 addresses that equipment. I can tell you what it was  
13 and I have seen it today, so I know we have it here  
14 someplace.

13:15 15 Q Do you know how many pallets that galley  
16 equipment made up?

17 A Only one. It wouldn't have been more than a  
18 single pallet. One.

19 Q It went to Fallon. Where is that?

13:15 20 A Fallon, Nevada. Just east of Reno. It's now  
21 the home of Naval Fighter Weapons School, Top Gun.

22 Q Top Gun. All consumables that support this  
23 equipment will remain on island. Was that meant as a  
24 true statement?

13:16 25 A Yes. Nuts, bolts, tires, all of that stuff.

13:16 1 Q Further here, the ARC, you commemorate, they  
2 wanted to retain all unserviceable government and CESE  
3 equipment on the island. Was that your understanding?

4 A Yes. That was, a lot of it was the deadline  
13:16 5 equipment they wanted to be able to do the same thing  
6 the Navy was doing, that is cannibalize parts, support  
7 the other equipment they had out there.

8 Q Other than the one C-141 that you said in this  
9 memo of February the 3rd, '97 was coming to take small  
13:16 10 IMRL equipment that was mission required to support the  
11 P-3's, do you know of any other special flights by any  
12 aircraft to take material off the island?

13 A No. The remaining IMRL was taken off on a  
14 barge on the -- they have here the 17 February barge.

13:17 15 Q Was that the Samson barge?

16 A Yes.

17 Q On item (i), just to hit some of these, there's  
18 discussion of the x-ray machines being left on the  
19 island to support the reuse of the island?

13:17 20 A Yes.

21 Q As far as you know, did that happen?

22 A Let me read this real quick, please. Refresh  
23 my memory.

24 I believe that x-ray machine actually did go to  
13:18 25 Iceland, if I recall correctly, and the reason being

16:13 1 much the same documents?

2 A Yes, they were.

3 Q You referred to FISC, F-I-S-C, is that right?

4 A Yes, that's Fleet Industrial Supply Center.

16:13 5 Q And MTMC, M-T-M-C, is that right?

6 A Yes, I believe that's -- I only know them as  
7 the acronym. They are contract manager for I believe  
8 the barge contract.

9 Q Have you heard them called Military Traffic  
16:14 10 Management Command?

11 A Just in discussions with you.

12 Q Was it your understanding that MTMC contracted  
13 for air service?

14 A No.

16:14 15 Q Would that have been Air Mobility Command or  
16 AMC?

17 A It would have gone through AMC. I don't know  
18 who on the Navy side would originate the contract with  
19 AMC, but those contracts do go through AMC, Air Mobility  
16:14 20 Command, formerly known as MAC.

21 Q Was it your understanding that MTMC contracted  
22 for ocean carriage?

23 A For barge service.

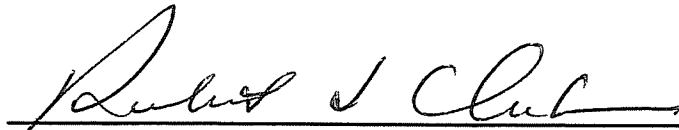
24 Q And AMC contracted for air carriage?

16:14 25 A That's my understanding, yes.

## PENALTY OF PERJURY

I, ROBERT J. CLARK, do hereby declare under penalty of perjury that I have read the foregoing transcript; that I have made any corrections as appear noted, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

EXECUTED this 7 day of May,  
2007, at AUBURN, CALIFORNIA.  
(City) (State)



ROBERT J. CLARK

1 STATE OF CALIFORNIA )

: ss

2 COUNTY OF MARIN )

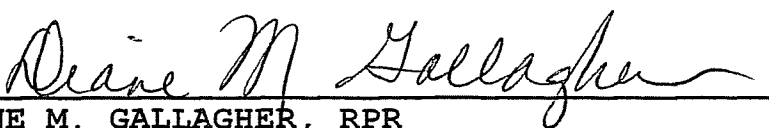
3 I, the undersigned, a Certified Shorthand  
4 Reporter of the State of Michigan, and Notary Public of  
5 the State of California, do hereby certify:

6 That the foregoing proceedings were taken  
7 before me at the time and place herein set forth; that  
8 any witnesses in the foregoing proceedings, prior to  
9 testifying, were placed under oath; that a verbatim  
10 record of the proceedings was made by me using machine  
11 shorthand which was thereafter transcribed under my  
12 direction; further, that the foregoing is an accurate  
13 transcription thereof.

14 I further certify that I am neither financially  
15 interested in the action nor a relative or employee of  
16 any attorney of any of the parties.

17 IN WITNESS WHEREOF, I have this date subscribed  
18 my name.

19  
20 Dated: APR 25 2007

21  
22   
23 DIANE M. GALLAGHER, RPR  
24 CSR (Mich) No. 2191  
25 Notary Public No. 1419258 County of Marin  
State of California  
My commission expires: 5-20-2007